



**Liquor & Tobacco Advisory Board Agenda**  
**Wednesday, January 19, 2022**  
**6:00 P.M. – City Council Chambers, 2<sup>nd</sup> floor, City Hall**  
**425 East State Street**  
**Rockford, IL 61104**  
**779-348-7163**

**Present:**

**ZBA Members:** Jennifer Spencer  
Craig Sockwell  
Jennifer Smith  
Dan Roszkowski  
Kim Johnsen  
Maurice Redd  
Tom Fabiano

**Absent:**

**Staff:** Megan McNeill - Assistant City Attorney  
Darius Morrow - Land Use Planner  
Scott Capovilla - Planning and Zoning Manager  
Mike Rotolo - Fire Prevention Coordinator  
Kelly Nokes – Engineering Operations Manager

**Others:** Camille Connell-Court Reporter (Planet Depos)  
Linda McNeely - Alderman  
Aprel Prunty - Alderman  
Mark Bonne - Alderman  
Tuffy Quinonez- Alderman  
Applicants and Interested Parties

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Scott Capovilla explained the format of the meeting will follow the Boards Rules of Procedure generally outlined as:

The Chairman will call the address of the application.

- The Applicant or representative will come forward and be sworn in.
- The Applicant or representative will present their request before the Board
- The Board will ask any questions they may have regarding this application.
- The Chairman will then ask if there are any Objectors or Interested Parties. Objectors or Interested Parties are to come forward at that time, be sworn in by the Chairman, and give their name to the Liquor & Tobacco Advisory Board secretary and the stenographer

- The Objector or Interested Party will present all their concerns, objections and questions to the Applicant regarding the application.
- The Board will ask any questions they may have of the Objector or Interested Party.
- The Applicant will have an opportunity to rebut the concerns/questions of the Objector or Interested Party
- No further discussion from the Objector or Interested Party will occur after the rebuttal of the Applicant.
- The Board will then discuss the application and a vote will be taken.

The LTAB meeting is not a final vote on any item. However, it is the only time in which the public may participate. After the LTAB meeting, the item moves on to the Code & Regulation Committee. Although the public is invited to attend the meeting, public input is not allowed at the committee meeting. The date of the Code & Regulation meeting will be Monday, January 24, 2022 at 5:30 PM in City Council Chambers (2nd floor of City Hall) as the second vote on these items. The third and final meeting in this process is the City Council. That vote is tentatively scheduled on Monday, February 7, 2022. If the item is laid over at the LTAB meeting, the next meeting is **Tuesday, February 15, 2022**. If for any reason the item is laid over at the committee level or on the city council floor, the item is automatically laid over for two (2) weeks.

The meeting was called to order at 7:57 PM. A **MOTION** was made by Jennifer Smith to **APPROVE** the December 21, 2021 meeting minutes. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 5-0 with Maurice Redd and Thomas Fabiano abstaining.

#### **21-LTAB-030**

Applicant  
Ward 11

#### **1201 Broadway**

Blackprint Enterprises, LLC dba Xquisites Bar & Grill

**Modification of an existing liquor license** to include karaoke nights, comedy nights, open mic nights, and live entertainment to include DJs in a C-4, Urban Mixed-Use Zoning District

**Laid over from December**

The Applicant, Reginald Alexander, was present. Mr. Alexander stated the amendment to the liquor license was for karaoke nights, comedy nights, open mic nights, and live entertainment to include DJs to expand business to be equal to other businesses. Mr. Alexander explained the business has had hardly no calls for service other than one (1) medical assistance, no police contact, and two (2) false alarms from bats in the building.

Kim Johnsen stated there were no details on when entertainment will happen. Mr. Alexander stated only on special occasions but no weekly events.

Jennifer Smith asked if the hours are staying the same. Mr. Alexander stated yes. Craig Sockwell asked where these events would take place. Mr. Alexander stated the highlighted area on the floor plan.

Ms. Johnsen stated the interior floor plan shows five (5) video gaming machines. Mr. Alexander stated this was the original floor plan that he was told he could re-submit but they have been approved for three (3) machines.

Ms. Smith asked if there was a dance floor. Mr. Alexander stated no. Mr. Sockwell asked would there be a cover charge. Mr. Alexander stated the only time there will be a cover charge is when a 503C organization has an event.

Jennifer Spencer asked how things were going with the business. Mr. Alexander stated business was going good until winter but that is why we are asking for the modification.

Mr. Sockwell asked Staff if the report was for denial. Scott Capovilla stated yes.

Maurice Redd asked Mr. Alexander if he saw the report and read Staff's concerns. Mr. Alexander stated he did but he thought he was coming here to explain what they are trying to accomplish and that would help.

Mr. Sockwell asked if entertainment events could be done by the special events process. Mr. Capovilla stated we do have a Special Events Process.

Mr. Sockwell asked Mr. Alexander how many events he would have; one a year, one a month, one every couple of months. Attorney Megan McNeill stated Special Events are just for one occasion and a Special Event Application has to be submitted.

Ms. Smith asked if this request could be done through a Special Event Application. Mr. Alexander stated he was advised to do a Modification of the liquor license. Mr. Sockwell asked if Mr. Alexander had applied for a Special Event. Mr. Alexander stated no. Attorney McNeill stated Special Events are one occasion and that is why we advised the Modification.

Ms. Johnsen asked if the board can do a special condition. Mr. Capovilla stated the previous conditions apply, he is complying with them and it is why he is here asking for a modification.

One (1) interested party was present.

Alderman Tuffy Quinonez states he is in favor of the request, there have no issues, and he has talked to the neighbors and they are happy with the business. Mr. Alexander thanked the Alderman and stated it is all about community, my partners and I are all about community.

A **MOTION** was made by Kim Johnsen to **APPROVE** the Modification of an existing liquor license to include karaoke nights, comedy nights, open mic nights, and live entertainment to include DJs in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Smith and **CARRIED** by a vote of 7-0.

**21-LTAB-031**

Applicant  
Ward 6

**3015, 3017, and 30XX Kishwaukee Street**

Thomas Charles McDonald dba Grant Park Tavern

**The sale of liquor by the drink** in conjunction with a tavern and video gaming terminals in a C-3, General Commercial Zoning District  
**Laid over from December and January**

Dan Roszkowski indicated that prior to the meeting, the Legal Department requested a layover.

A **MOTION** was made by Kim Johnsen to **LAYOVER** the sale of liquor by the drink in conjunction with a tavern and video gaming terminals in a C-3, General Commercial Zoning District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0.

**21-LTAB-033**

Applicant  
Ward 13

**206 West State Street**

Jose A. Chavez Vazquez / Tortillas Enterprises, Inc. dba Tortillas

**The sale of liquor by the drink** in conjunction with a restaurant and outdoor seating area and **the sale of packaged liquor** in conjunction with a restaurant and outdoor seating area in a C-4, Urban Mixed-Use Zoning District

Attorney Christen Solares representing the Applicant, Jose A. Chavez Vazquez, were both present. Attorney Solares stated the Applicant was applying for a liquor license for dining/take out with packaged liquor sales.

Mr. Chavez stated the packaged liquor sales during Pandemic really helped his businesses.

Maurice Redd inquired when the Applicant wants to open his business. Mr. Chavez stated he hoped to open the end of March or the beginning of April.

Tom Fabiano asked what building the business was going into. Mr. Chavez stated the Trust Building.

Jennifer Smith asked if the Applicant has packaged liquor at his other locations. Mr. Chavez stated no but the packaged liquor sales allowed by the City during the Pandemic helped.

Jennifer Spencer asked if any other businesses have packaged liquor sales downtown. Mr. Fabiano stated The District. Scott Capovilla stated The District was approved almost 5 years ago.

Attorney Megan McNeill asked the Applicant if he had a chance to review the staff recommendation and the conditions of approval 1 through 15 and if he were in agreement. Mr. Chavez stated yes but he still is asking for packaged liquor.

No objectors or interested parties were present.

Jennifer Smith asked if there was any appetite at the State or local level to allow businesses to keep the packaged liquor. Attorney McNeill stated at the State level, yes, but locally it ended in the summer. Ms. Smith stated she understood the issue with packaged liquor but this seems like a great location for this.

The Board continued discussion about approval and conditions. Mr. Fabiano asked if we put conditions on The District. Mr. Capovilla stated, yes, there were conditions about the size, advertisement, and hours for the packaged sales.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant and outdoor seating area and **APPROVE** the sale of packaged liquor in conjunction with a restaurant and outdoor seating area in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Must meet all applicable Building and Fire codes.
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of a detailed site plan that includes the outdoor seating area with the proposed fencing.
4. The sale of liquor by the drink shall be limited to the interior floor plan, Exhibit F, and the final site plan approved by Staff.
5. The hours of operation will be limited to 10:00 A.M. to 8:00 P.M Monday through Thursday.
6. The hours of operation will be limited to 10:00 A.M. to 10:00 P.M Friday through Sunday.
7. Window display signage is limited to 20% of window area.
8. The windows shall not be covered with bars or other devices that block the windows.
9. The restaurant shall not have a cover charge, dance floor, any DJs or live entertainment.
10. The restaurant shall not operate as a nightclub.
11. The restaurant and facility is prohibited from having any video gaming machines.
12. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
13. All outstanding general ordinance fines must be paid prior to the issuance of the license
14. All conditions must be met prior to establishment of use.
15. Packaged Liquor sales are limited to a minimum of a 4-pack of beer but no greater than a 12-pack of beer and full bottles of wine.
16. No advertising in the windows of the packaged sales of beer and wine.

**21-LTAB-034**

Applicant  
Ward 3

**505-507 East State Street**

Julie Kylesa Rankin / J & K's Lounge, LLC dba J & K's Lounge  
**Modification of an existing liquor license** to allow video gaming  
terminals in a C-4, Urban Mixed-Use Zoning District

The Applicant, Julie Kylesa Rankin, was present. The Applicant stated that she is a female veteran owner of J & K's Lounge was asking for modification of their liquor license to allow gaming terminals. Ms. Rankin stated she had copies of updated floor plan, the previous business had machines and there will be nightly entertainment.

Jennifer Spencer stated she went to the old business and they had machines. Scott Capovilla explained they did have gaming but a year prior to closing the business, the machines were removed.

Maurice Redd asked how the business is doing. Ms. Rankin stated business has been going pretty good.

Jennifer Smith stated the City only has so many licenses. Ms. Rankin stated the State says we are approved for gaming. Ms. Spencer states we cannot approve it based on the current licenses.

Attorney Megan McNeill stated the numbers are correct in the report and the cap is 600. Ms. Spencer asked do we have 600. Attorney McNeill stated the number is correct.

Kim Johnsen wanted to know if it is feasible to create a waiting list. Attorney McNeill stated this has been brought up but it is up to council to approve. The Board continued discussion on creating a waiting list.

Ms. Rankin stated there was some confusion about what needed to be done about the gaming machines and she was told to wait to apply for the gaming but when she brought the gaming up again, she was told she needed to submit for a modification of her license.

Mr. Capovilla explained that the City has Preannexation Agreements with a number of properties that have businesses with existing gaming machines that will be annexed into the City shortly and those machines needed to be accounted for.

One (1) interested party was present.

Alderman Mark Bonne stated at the Democratic Caucus meeting this past week, they discussed the gaming machine limits, whether or not this should be increased, and should there be a waiting list on issuing licenses. Alderman Bonne knows the Board is in a difficult situation but thinks the Board should be approving gaming machine requests.

Mr. Capovilla stated there were letters of support provided to the board from emails received over the weekend.

The Board continued discussion on this issue.

A **MOTION** was made by Kim Johnsen to **DENY** a Modification of an existing liquor license to allow video gaming terminals in a C-4, Urban Mixed-Use Zoning District. The motion was **SECONDED** by Craig Sockwell and **CARRIED** by a vote of 7-0.

**21-LTAB-035**

Applicant

Ward 9

**3031 and 3035 North Rockton Avenue**

Celia Galvan / Hacienda San Jose Restaurant, Inc. dba La Patrona Restaurant

**The sale of liquor by the drink** in conjunction with a restaurant and video gaming terminals in a C-2, Limited Commercial Zoning District

Attorney Christen Solares representing the Applicant, Celia Galvan, were both present. Attorney Solares stated Celia Galvan is the new business owner and is requesting the sale of liquor by the drink in conjunction with a restaurant and video gaming.

Attorney Megan McNeill asked the Applicant if she had a chance to review the staff recommendation and the conditions of approval 1 through 15 and if she were in agreement.

Attorney Solares stated condition #12 is an issue as his client is leasing the space so this would be difficult for this to happen.

Jennifer Smith asked how long has the freestanding sign been up. Attorney Solares stated the sign has been up for decades and she just installed a sign face on the free-standing sign. Ms. Smith stated we put this condition on all requests. Mr. Sockwell stated they could stretch out the date of compliance for removing the sign.

Craig Sockwell asked if the business was currently open. Ms. Galvan stated yes.

Jennifer Spencer asked how long they have been open. Ms. Galvan stated a year.

Kim Johnsen asked the Applicant if she heard the Board's discussion about the video gaming licenses. Ms. Galvan stated I was under the impression that the video gaming was approved. Attorney McNeill stated that was approved under a different request but never established and those are not in our numbers.

One (1) interested party was present.

Alderman Mark Bonne stated at the Democratic Caucus meeting this past week, they discussed the gaming machine limits, whether or not this should be increased, and should there be a waiting list on issuing licenses. Alderman Bonne knows the Board is in a difficult situation but thinks the Board should be approving gaming machine requests.

The Board continued discussion on this issue.

A **MOTION** was made by Jennifer Smith to **APPROVE** the sale of liquor by the drink in conjunction with a restaurant and **DENY** the video gaming terminals in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Kim Johnsen and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all Building and Fire Codes
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of a revised interior floor plan to show the seating arrangement and the point of sales for liquor.
4. The hours of operation will be limited to 10:00 A.M. to 2:00 A.M. Thursday through Saturday and Sunday to Wednesday 10:00 A.M. to 12:00 A.M. (Midnight).
5. Window display signage is limited to 20% of window area.
6. The restaurant shall not have a cover charge, dance floor, any DJs or live entertainment.
7. The restaurant shall not operate as a nightclub.
8. There shall not be temporary exterior signage.

9. The proposed use and facility is prohibited from having any video gaming machines
10. The windows shall not be covered with bars or other devices that block the windows.
11. Submittal of a revised site plan showing the adjusted parking spaces, revised handicapped space and the addition of a landscape area next to Rockton Avenue.
12. The existing freestanding sign must be removed by December 31, 2022.
13. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
14. All outstanding general ordinance fines must be paid prior to the issuance of the license.
15. All conditions must be met prior to establishment of use.

**21-LTAB-036**

Applicant  
Ward 14

**4344 Sandy Hollow Road**

Constantina D Flevaris / TMN Management, LLC dba Corned Beef Factory  
**The sale of beer and wine by the drink** in conjunction with a  
restaurant and video gaming terminals in a C-2, Limited Commercial  
Zoning District

The Applicant, Peter Flevaris, was present. The Applicant stated that his group consists of family members from a well-known background and their business model is a dual concept of food with beer and wine and gaming. Mr. Flevaris explained a lot of money must be invested in opening a new location and that is why the business model dual concept of food with beer and wine and gaming is required. Mr. Flevaris stated he knew it would be an uphill battle but he felt Rockford would be a great location.

Attorney Megan McNeill asked the Applicant if he had a chance to review the staff recommendation and the conditions of approval 1 through 13 and if he were in agreement.

Mr. Flevaris stated yes.

Maurice Redd asked if they were in a lease agreement for this site. Mr. Flevaris stated yes and asked if there was a City Council vote that can supersede the Board.

Dan Roszkowski stated there will be two (2) votes after tonight's meeting, Code and Regulation Committee and City Council.

Mr. Flevaris asked about the existing gaming machines, future gaming machines and whether or not there already 600 machines. Scott Capovilla explained that the City has Preannexation Agreements with a number of properties that have businesses with existing gaming machines that will be annexed into the City shortly and those machines needed to be accounted for.

One (1) interested party was present.

Alderman Mark Bonne stated at the Democratic Caucus meeting this past week, they discussed the gaming machine limits, whether or not this should be increased, and should there be a waiting list on issuing licenses. Alderman Bonne knows the Board is in a difficult situation but thinks the Board should be approving gaming machine requests.

Mr. Roszkowski asked if the Liquor Advisory Board has the same authority of the Zoning Board of Appeals. Mr. Capovilla stated the Liquor Advisory Board does not have the same authority of the Zoning Board of Appeals and only a simple majority of City Council is required to reverse LTAB's decision. Reversal of a ZBA denial requires a supermajority vote of City Council.

A **MOTION** was made by Maurice Redd to **APPROVE** the sale of beer and wine by the drink in conjunction with a restaurant and **DENY** video gaming terminals in a C-2, Limited Commercial Zoning District. The motion was **SECONDED** by Jennifer Spencer and **CARRIED** by a vote of 7-0.

Approval is based on the following conditions:

1. Meet all Applicable Building and Fire Codes
2. Compliance with all City of Rockford Code of Ordinances including Liquor Codes.
3. Submittal of Building Permit for Staff review and approval.
4. The sale of beer and wine by the drink shall be limited to the interior site plan that was submitted, Exhibit F.
5. The hours of operation will be limited to 8:00 A.M. to 1:00 A.M Monday through Sunday.
6. Window display signage is limited to 20% of window area.
7. The windows shall not be covered with bars or other devices that block the windows.
8. The restaurant shall not have a cover charge, dance floor, any DJs or live entertainment.
9. The restaurant shall not operate as a nightclub.
10. The proposed use and facility is prohibited from having any video gaming machines
11. Any pending general ordinance case(s) must be resolved prior to issuance of the license.
12. All outstanding general ordinance fines must be paid prior to the issuance of the license.
13. All conditions must be met prior to establishment of use.

With no further business to come before the Board, the meeting was adjourned at 9:21 PM.

Respectfully submitted,  
Darius Morrow, Land Use Planner  
Liquor & Tobacco Advisory Board